

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

WP(C).No. 8321 of 2007(N)

PETITIONER:

**K.SATHEESAN,PREEJITH ELECTRICALS,
NIVADA BUILDING,EAST KATTAPRAMBA,KOZHIKODE.**

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS:

**1. STATE OF KERALA,REP.BY THE SECRETARY
SECRETARIAT,PUBLIC WORK(C) DEPARTMENT,
THIRUVANANTHAPURAM.**

**2. THE EXECUTIVE ENGINEER OFFICE OF THE
EXECUTIVE ENGINEER,PWD (ELECTRICAL)CIVIL,KOZHIKODE**

BY GOVERNMENT PLEADER SRI.M.R.SABU

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 04/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

tss

W.P.(C) NO.8321/2007

APPENDIX

PETITIONER'S EXHIBITS

**EXT.P1:- COPY OF THE BILL IN AGREEMENT NO.ELD370/05/06 IS
PRODUCED HERE IN AND MARKED AS EXT.P1.**

/TRUE COPY/

P.S. TO JUDGE

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ANTONY DOMINIC, J.

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W.P.(C) No. 8321 OF 2007 N
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Dated this the 4th October, 2007

J U D G M E N T

The petitioner is a contractor who asserts that he has satisfactorily completed the work awarded and submitted his bill with a total claim of Rs.2,19,651/-. It is his submission that despite long lapse of time payment has not been made.

2. The learned Govt. Pleader, on instructions, confirms that the work in question has been satisfactorily completed. According to him, the actual amount is only Rs.2,08,580/- and not the amount claimed by the petitioner. However, he points out that they are awaiting for a special letter of credit from the Government for making payment.

3. In this case since it is the admitted position that the work has been satisfactorily completed and an amount of Rs.2,08,580/- is due, there is absolutely no justification in delaying the payment inordinately for want of letter of credit from the Government. Having got the work executed, it is the responsibility of the

respondents to make payment within a reasonable time. Since that has not been done, I dispose of this writ petition directing that the amount of Rs.2,08,580/- admitted to be due by the respondents, shall be paid to the petitioner as expeditiously as possible, at any rate within a period of 2 months maintaining the order of priority.

ANTONY DOMINIC
JUDGE

jan/-